



# Public Notice

U.S. Army Corps of Engineers, Norfolk District

May 4, 2006

CENAO-TS-REG  
06-V0238-75

## FEDERAL PUBLIC NOTICE

The District Commander has received a joint application for Federal and State permits as described below:

County of Rockingham  
Attn: Mr. Stephen King  
P. O. Box 1252  
Harrisonburg, Virginia 22801

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** The project is located in the German River, a tributary to the North Fork Shenandoah River, approximately 2.4 miles west of Bergton, Rockingham County, Virginia.

**PROPOSED WORK AND PURPOSE:** The applicant, in cooperation with the Natural Resources Conservation Service is proposing to construct a debris basin as a demonstration project funded jointly by the NRCS, the Commonwealth of Virginia, and Rockingham County. The project is designed to maximize the capture of rock and debris washed downstream in the watershed. The debris basin design is based on sizing the basin to maximize debris volume removed while minimizing clean-out frequency and limiting impact to one landowner. An area of low velocity will be created by constructing a partial rip-rap embankment in the streambed to induce large cobble debris to settle out of the flow. Debris baffles will be incorporated into the design in an attempt to capture and more evenly distribute debris flowing through the basin. The structural integrity of the baffles will be evaluated and repaired as necessary after storm events and monitored as to their effectiveness.

**The basin utilizes a trapezoidal cross-section low-flow channel to maintain a minimum stream flow, and will allow normal sediment loads to pass downstream, provide for fish passage, and will not create ponding during normal stream flows. The debris basin will be approximately 450' x 150' impacting approximately 1.5 acres of the German River channel above and below the ordinary high water line. Channel work will involve approximately 900 linear feet of channel, including the removal of approximately 9,700 cubic yards from non-vegetated wetlands and subaqueous bottom by dredging.**

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. Project drawings are attached.

**AUTHORITY:** Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

**FEDERAL EVALUATION OF APPLICATION:** The decision whether to issue a permit will be

based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b) (1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Commander within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Commander will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: [elirons@deq.virginia.gov](mailto:elirons@deq.virginia.gov).

**COMMENT PERIOD:** Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-TS-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on **June 2 2006**.



Date of Aerial: March 26, 2000

Project Site

German River





**Photo Looking Upstream  
From Lower End of Project**

**2005 11 10**





**Looking Downstream Within  
Proposed Debris Basin**

**2005 11 10**





**Photo Looking At Approximately  
Where Debris Basin "Dam" and  
Low-flow Channel Site**

**2005 11 10**